

# UCLA Faculty Association

News and opinion from Dan Mitchell since 2009

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Thursday, August 15, 2024

## Closed-Door Regents Meeting on Friday, Aug. 16



The Regents are meeting on August 16 behind closed doors. At least one participant will be somewhere on campus. Among the street addresses given is 405 Hilgard Avenue, the generic address for UCLA.

Topic: B1(X) Action: Update on Safety Planning on Campuses

"Update" sounds like an information item. "Action," on the other hand,

sounds like a decision or endorsement of some strategy.

And that's all we know. Presumably, however, there will be some discussion of the recent temporary injunction against UCLA.\* There are reports that UCLA has now filed an appeal.\*\*

Source: <https://regents.universityofcalifornia.edu/meetings/agendas/aug162024.html>.

\*\*<https://reason.com/volokh/2024/08/14/ucla-appeals-yesterdays-preliminary-injunction-that-ordered-it-to-avoid-repetition-of-exclusion-of-jewish-or-pro-israel-students-from-parts-of-campus/>.

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\*[https://uclafacultyassociation.blogspot.com/2024/08/temporary-injunction-against-ucla\\_14.html](https://uclafacultyassociation.blogspot.com/2024/08/temporary-injunction-against-ucla_14.html) and <https://uclafacultyassociation.blogspot.com/2024/08/temporary-injunction-against-ucla.html>.

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UPDATE: The appeal by UCLA at this point is just a statement that a more complete appeal will be filed: <https://ia600402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/UCLA-appeal%20of%20antisemitism%20lawsuit%208-14-2024.pdf>.

Posted by California Policy Issues at 6:39 AM

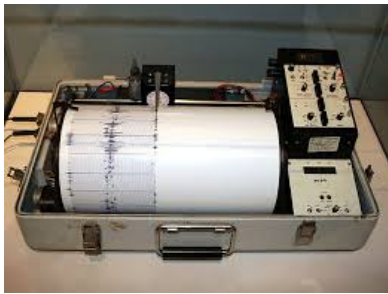
No comments:



Labels: UC Regents

## MyShake

From the [LA Daily News](#): *With the unpredictable and destructive nature of earthquakes, a few extra seconds of notice can make all the difference in the world. That's why the California Office of Emergency Services is reminding residents to download the state's MyShake App, a free tool that delivers alerts and warnings for earthquakes. The app, developed by UC Berkeley in partnership with United States Geological Survey ShakeAlert and Cal OES, is available for mobile devices through the Google Play store and Apple App store and allows residents to input their home town and receive alerts as soon as ground sensors detect significant shaking.*



"This can provide vital seconds of notice to prepare for shaking," said Jon Gudel, a spokesperson for the Cal OES Earthquake Early Warning team. "Think of all the apps you have on your phone now, none of them could potentially save your lives, especially in Southern California with all the seismic active areas."

The MyShake App is available in English, Spanish, Chinese, Vietnamese, Korean and Filipino, can be download from smartphone app stores, or directly from the MyShake website:

<https://myshake.berkeley.edu/>

How earthquake early warning systems work

### The Council of UC Faculty Associations

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Earthquake early warning systems have long been implemented in quake-prone countries like Mexico and Japan, with California becoming the first state in the United States to offer a statewide early warning system when the Earthquake Warning California System launched in 2019. The system operates by taking data from more than 900 sensors positioned across the state that can detect earthquakes. When an earthquake triggers the sensors, that data is sent to processing centers to locate the earthquake, determine the magnitude, and the estimated shaking. The MyShake App then sends a warning to smartphone users that have installed the app and are in the vicinity of the earthquake.


"An earthquake is a rupturing fault that typically comes in two waves," Gudel said. "The first wave is faster moving, and we use the data from that to transmit to alert centers and then users before the slower, more damaging second wave behind it." Residents will only receive notifications for quakes with a magnitude 4.5 or higher, Gudel said.

How much time is there between the warning and shaking?

When it comes to early warning alerts for earthquakes, warnings are measured in seconds because the tools are reacting to events in real time. "We can't predict earthquakes, and these alerts we send out are not predictions," Gudel said. "They're warnings."

As a result, the amount of time between a warning and feeling the shaking can vary based on where a person is in relation to the temblor. "The closer to the epicenter of a quake you are, the less time you are going to have to prepare," Gudel said...

Full story at <https://www.dailynews.com/2024/08/13/what-to-know-about-californias-earthquake-early-warning-system-mysshake/>.

Posted by California Policy Issues at [3:00 AM](#) No comments: 

Labels: [miscellaneous](#)

Wednesday, August 14, 2024

Aftershock

From the [NY Times](#): Columbia University's president, Nemat Shafik, resigned on Wednesday after months of far-reaching fury over her handling of pro-Palestinian demonstrations and questions over her management of a bitterly divided campus. She was the third leader of an Ivy League university to resign in about eight months following maligned appearances before Congress about antisemitism on their campuses.




Dr. Shafik, an economist who spent much of her career in London, said in a letter to the Columbia community that while she felt the campus had made progress in some important areas, it had also been a period of turmoil "where it has been difficult to overcome divergent views across our community."

"This period has taken a considerable toll on my family, as it has for others in our community," wrote Dr. Shafik, who goes by the name Minouche. "Over the summer, I have been able to reflect and have decided that my moving on at this point would best enable Columbia to traverse the challenges ahead."

She added that her resignation was effective immediately, and that she would be taking a job with Britain's foreign secretary to lead a review of the government's approach to international development. The university's board of trustees named Dr. Katrina A. Armstrong, a medical doctor who has been the chief executive of Columbia's medical center and dean of its medical school since 2022, as the interim president. The board did not immediately announce a timeline for appointing a permanent leader...

Full story at <https://www.nytimes.com/2024/08/14/us/columbia-president-nemat-shafik-resigns.html>.

Posted by California Policy Issues at [6:53 PM](#) No comments: 

Labels: [Columbia](#)

Temporary Injunction Against UCLA Related to Spring Protests - Part 2 (UCLA response)



Yesterday, we posted excerpts from the temporary injunction against UCLA.\* The [LA Times](#) today carries UCLA's initial response - which sounds like an appeal is likely, although it doesn't say so:

The judge's order gives UCLA two days, until Thursday, to instruct UCLA police, security and student affairs that "they are not to aid or participate in any obstruction of access for Jewish students to

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ordinarily available programs, activities, and campus areas.” That coincides with orientation for the law school’s fall semester. Undergraduate fall-quarter classes begin in September.

Scarsi’s decision is not the final say on merits of the case. Instead, it says that the students who sued were likely to suffer irreparable harm if he did not issue a preliminary injunction while the case proceeds.

A UCLA official said in a statement that the order would “improperly hamstring” how the university could respond to campus happenings. “UCLA is committed to fostering a campus culture where everyone feels welcome and free from intimidation, discrimination, and harassment,” said Mary Osako, vice chancellor of strategic communications. “The district court’s ruling would improperly hamstring our ability to respond to events on the ground and to meet the needs of the Bruin community. We’re closely reviewing the judge’s ruling and considering all our options moving forward.”

UCLA indicated in court filings prior to Tuesday that it would appeal an injunction.

The case centers on a pro-Palestinian encampment on Royce Quad that went up April 25. It was one of the largest and most controversial of those built on college campuses across the U.S. to demand that universities divest from financial ties to Israel. When a mob attacked the camp on April 30, law enforcement response was delayed by hours. Police broke apart the encampment on May 1 and arrested more than 200 people.








...On the question of whether the encampment discriminated against Jews, there has also been significant debate. Pro-Palestinian students and faculty activists at UCLA, including a Faculty for Justice in Palestine group that filed an amicus brief, have drawn a distinction. They say protests were anti-Zionist but not anti-Jewish and that many protesters were Jewish. But to many Jews, Zionism — the belief in a Jewish state in the ancestral Jewish homeland — is key to Jewish identity. In his order, Scarsi gave a nod toward that view, saying that the plaintiffs “assert that supporting the Jewish state of Israel is their sincerely held religious belief.”

Tuesday’s court order increases pressure on University of California regents and campus leaders, who have said they will no longer tolerate encampments and will enforce protest rules. President Michael V. Drake is working with UC leadership on a systemwide plan on how campuses will respond to potential fall protests over the Israel-Hamas war and violations of free speech guidelines. State lawmakers are withholding \$25 million in state funding until Drake delivers a report on those efforts by Oct. 1.

Full story at <https://www.latimes.com/california/story/2024-08-13/judge-orders-ucla-to-give-jewish-students-equal-access-after-pro-palestinian-protests>.

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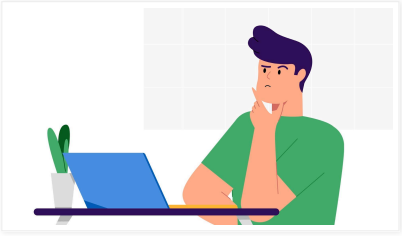
\*<https://uclafacultyassociation.blogspot.com/2024/08/temporary-injunction-against-ucla.html>.  
See also <https://uclafacultyassociation.blogspot.com/2024/07/it-came-but-from-different-source.html>.

Posted by California Policy Issues at 6:29 AM No comments:       

Labels: [diversity](#), [Drake](#), [UC budget crisis](#), [UC Regents](#), [UCLA](#)

Explainer: Why it doesn't feel like a crisis

We seem to have a state budget crisis. Yet, it doesn't feel like some of the crises of the past. Why is that? Why aren't we going hat-in-hand to Wall Street to borrow money? The basic explanation is that the state has a lot of cash on hand outside its General Fund which handles ongoing, day-to-day expenses. But this cash is in all kinds of places, not just in the rainy-day fund and similar funds that are associated with the General Fund as reserves.










You may never have heard of the Barbering and Cosmetology Contingent Fund, or the Diesel Emission Reduction Fund, or the Gambling Addiction Program Fund. But these funds, and myriad others, were created by the legislature in its wisdom. They are all earmarked funds that perform designated purposes.

At any point in time, there is cash in these internal funds that the state can borrow temporarily to deal with potential overdrafts in the General Fund. The state essentially borrows internally from these earmarked funds and doesn't have to go to external financial markets for credit. It puts an IOU in these funds and then repays them at a later date. Of course, internal borrowing has its limits. If, say, the Infant Botulism Treatment and Prevention Fund is filled up with IOUs, it can't perform the function for which it was created.

You can find a list of the internal funds from which money has been borrowed at:

<https://dof.ca.gov/wp-content/uploads/sites/352/2024/01/Government-Code-Section-16320-JLBC-July-2024.pdf>.

Posted by California Policy Issues at 3:00 AM No comments:       

Labels: [State Budget](#)

Tuesday, August 13, 2024

UCLA can be as neutral as the rest of them

Shifting Into Neutral: It's a Thing! - Part 2

Yale's Committee

Didn't want to let this issue slide

Numbers & Ratios - We Report; You Decide

9-11-01 at UCLA

Shifting Into Neutral: It's a Thing!

The times they are a'changing - Part 6

Take Us Out of the Ball Game

Water with the Guv

Upcoming Regents Agenda: Sept. 18-19, 2024

Updated Subway Construction

Unclear - Part 2

Berkeley Chancellor Interview: Institutional Neutr...

Well, I'm sure I could write something...

What will the fall rules be? - Part 2 (Now we know)

The Great Santa Cruz Panic of '24

The Senate Wants to Be In (or maybe near) the Room...

Regents Special Retreat: Wednesday-Thursday

TMT in Hawaii in the Past Tense?

Some UC-Retirement Programs for September

Bus Stop

Burnout

Artwork for Westwood/VA Subway Station

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- ▶ 2010 (431)
- ▶ 2009 (12)

Contributors

- California Policy Issues
- Toby Higbie
- UCLA Faculty Association

## Temporary Injunction Against UCLA Related to Spring Protests



*Excerpts from court's judgment:* [Link to full judgment below.]

In the year 2024, in the United States of America, in the State of California, in the City of Los Angeles, Jewish students were excluded from portions of the UCLA campus because they refused to denounce their faith. This fact is so unimaginable and so abhorrent to our constitutional guarantee of

religious freedom that it bears repeating, Jewish students were excluded from portions of the UCLA campus because they refused to denounce their faith.

UCLA does not dispute this. Instead, UCLA claims that it has no responsibility to protect the religious freedom of its Jewish students because the exclusion was engineered by third-party protesters. But under constitutional principles, UCLA may not allow services to some students when UCLA knows that other students are excluded on religious grounds, regardless of who engineered the exclusion.

In response to the exclusion of Jewish students from portions of UCLA's campus, Plaintiffs Yitzchok Frankel, Joshua Ghayoum, and Eden Shemuelian moved for a preliminary injunction against Defendants Regents of the University of California, Michael V. Drake, Gene D. Block, Darnell Hunt, Michael Beck, Monroe Gordon, Jr., and Rick Brazier (hereinafter, "UCLA"). UCLA opposed, and Plaintiffs filed a reply...

At the hearing, the Court ordered the parties to meet and confer on the terms of a proposed preliminary injunction that would protect Plaintiffs' rights while allowing UCLA the flexibility needed to administer the UCLA campus. Plaintiffs and UCLA filed separate responses to the order, but were unable to make meaningful ground on a compromise position...

The Court deems this matter appropriate for decision without further oral argument...

UCLA requests a stay of any preliminary injunction pending appeal... The request is denied for failure to comply with rules governing motion and ex parte practice...

Plaintiffs are three Jewish students who assert they have a religious obligation to support the Jewish state of Israel...\*

### CONCLUSION

...The Court orders:

1. Defendants Drake, Block, Hunt, Beck, Gordon, and Brazier ("Defendants") are prohibited from offering any ordinarily available programs, activities, or campus areas to students if Defendants know the ordinarily available programs, activities, or campus areas are not fully and equally accessible to Jewish students.
2. Defendants are prohibited from knowingly allowing or facilitating the exclusion of Jewish students from ordinarily available portions of UCLA's programs, activities, and campus areas, whether as a result of a de-escalation strategy or otherwise.
3. On or before August 15, 2024, Defendants shall instruct Student Affairs Mitigator/Monitor ("SAM") and any and all campus security teams (including without limitation UCPD and UCLA Security) that they are not to aid or participate in any obstruction of access for Jewish students to ordinarily available programs, activities, and campus areas.
4. For purposes of this order, all references to the exclusion of Jewish students shall include exclusion of Jewish students based on religious beliefs concerning the Jewish state of Israel.
5. Nothing in this order prevents Defendants from excluding Jewish students from ordinarily available programs, activities, and campus areas pursuant to UCLA code of conduct standards applicable to all UCLA students.

Absent a stay of this injunction by the United States Court of Appeals for the Ninth Circuit, this preliminary injunction shall take effect on August 15, 2024, and remain in effect pending trial in this action or further order of this Court or the United States Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: August 13, 2024

MARK C. SCARSI

UNITED STATES DISTRICT JUDGE

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*\*In its brief, Amicus Faculty for Justice in Palestine at UCLA disputes the facts presented in the complaint and motion papers and asserts, inter alia, that no one "was denied entrance to the Palestinian solidarity encampment based on their identity." ...This conclusory assertion is in tension with Plaintiffs' record evidence, which UCLA declined to refute. Further, Amicus' assertion that no one was excluded from the encampment based on identity does not grapple with an important nuance—that Plaintiffs here assert that supporting the Jewish state of Israel is their sincerely held religious belief.*

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Full order at <https://ia800402.us.archive.org/9/items/2-final-hjaa-report.-the-soil-beneath-the-encampments/Preliminary%20injunction%20against%20UCLA.pdf>.

Posted by California Policy Issues at 6:36 PM

No comments:



Labels: [diversity](#), [UCLA](#)

Dropping Starbucks

From the Bruin: ...ASUCLA cafes are transitioning away from the sale of Starbucks-branded drinks, according to a statement from an ASUCLA spokesperson. Once this transition is complete, no ASUCLA-run coffee shops will serve Starbucks products...

Anderson Café, which has been serving Starbucks products since 2019, and ScrubJay Café, which has served Starbucks products since its opening in 2023, had been the only ASUCLA cafes serving Starbucks coffee...

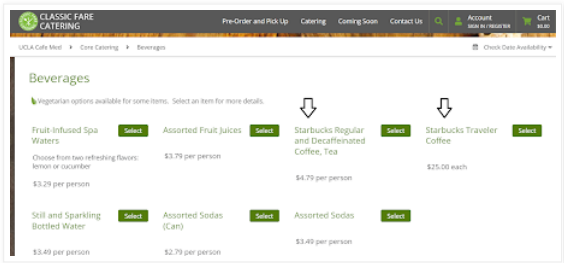
ASUCLA's contracts with Starbucks have recently come under scrutiny, with the Undergraduate Students Association Council – which is part of ASUCLA – passing a resolution in November calling on the ASUCLA Board of Directors to cut all contracts with Starbucks, citing allegations of anti-labor activity. The resolution stated that ASUCLA entered into a contract with Starbucks in 2019 when Anderson Café began serving Starbucks-branded products, and it included a statement of solidarity with Starbucks workers leading unionization efforts.

However, a spokesperson for ASUCLA said the organization did not have a contract with Starbucks, nor did it operate a licensed Starbucks franchise on campus. In a statement on behalf of USAC, President Adam Tfayli said that while “there may have been some mix up with regard to the official language that was used,” the council is happy that action had been taken following the December resolution...

Students Against Starbucks at UCLA, an organization that says it aims to defend the rights of Starbucks workers, has demanded since at least December that ASUCLA transition away from the sale of Starbucks products at its locations...

Full story at <https://dailybruin.com/2024/08/10/asucla-cafes-to-no-longer-offer-starbucks-products>.  
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Note: In a prior posting on this issue, we noted that **Café Med** on the south end of campus in the med school - and which is not run by ASUCLA - offers Starbucks coffee.\* That still seems to be the case. See below from its menu:



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\*<https://uclafacultyassociation.blogspot.com/2023/10/will-starbucks-labor-controversy-come.html>.

Posted by California Policy Issues at 3:00 AM

No comments:



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